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Right-wing populism and feminist politics: The case of Law and Justice in Poland

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journals.sagepub.com/home/ips**Anna Gwiazda** 

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Abstract

This article disentangles the complexity of right-wing populism and feminist politics using an original framework based on inputs (representative claims) and outputs (policies) to examine a Polish case. In 2015, the right-wing populist Law and Justice party (PiS) formed a single-party majority government led by a female prime minister after winning the elections. PiS is ideologically conservative, promotes traditional and national values and is supported by the Catholic Church. Additionally, it is hostile towards what it calls 'gender-ideology' and is reluctant to implement feminist policies. This article also reveals that PiS represents conservative women's interests and advocates an aspect of conservative feminism, therefore possessing a duality in its claims and policies. Overall, this article draws inferences about the nexus between social conservatism, populism and feminism, and thus seeks to contribute to the scholarly literature by examining a timely issue against the backdrop of rising populism, illiberalism and anti-gender campaigns.

Keywords

Right-wing populist parties, conservatism, representative claims, feminist policies, Law and Justice, Poland

Introduction

The relationship between right-wing populism and feminist politics has not been adequately explored in theory and practice despite it being a timely issue in the context of increasing authoritarian populism, illiberalism and anti-gender campaigns. To gain a better understanding of the nature of right-wing populism, this article analyses the intersection of conservatism and populism before examining feminist politics in terms of representative claims and feminist policies. Consequently, it raises two main questions: What are right-wing populist party's claims relating to women, gender, and feminism? Does a right-wing populist party support feminist policies? Traditionally, left-wing parties have been more known to be open to feminist demands (Lovenduski

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and Norris, 1993). In fact, previous studies have confirmed that conservatism can be detrimental to women because of weak equality policies (Celis and Childs, 2018; Outshoorn and Kantola, 2007). Moreover, right-wing parties fall short with respect to women's political representation and tend to make more anti-feminist gendered claims (Celis and Childs, 2014). However, scholars are now highlighting the advances made by right-wing parties in Western Europe towards including women (Kittilson, 2013; O'Brien, 2018) and even claim that *laissez-faire* conservatism can comfortably coexist with liberal feminism (Erzeel et al., 2014; Celis and Childs, 2014, 2018). This article seeks to address the current research deficit regarding this issue in Central and Eastern Europe.

Poland is a particularly interesting country for this study due to its cultural and political background. Culturally, both Catholicism and the communist heritage have had an impact on women. The Catholic Church strongly leans towards traditional gender roles, whereas communism advocated women's education, employment and abortion rights. Politically, a right-wing populist party has been in power since 2015, winning re-election in 2019. Law and Justice (Prawo i Sprawiedliwość, PiS) is a social and national conservative party that has gradually developed a more populist discourse as well as closer ties with the Catholic Church. The party was in power from 2005 to 2007, and then became part of the opposition for eight years. In 2015, it won the parliamentary elections and subsequently formed a single-party majority government led by a female prime minister. Soon afterwards, it was accused of authoritarian tendencies because of its disregard for the constitution, the rule of law, parliamentary procedures and citizens' rights (Markowski, 2018). It limited the scope of feminist policies, through the withdrawal of funding for in-vitro fertilisation, the restriction of access to emergency contraception and the reduction of funding for combating domestic abuse (Korolczuk, 2017; Wiercholska, 2018). PiS views women as mothers and provides the Family 500+ programme which offers generous child benefits; however, its manifesto also includes a pledge regarding gender equality in the workplace. By examining the case of Law and Justice, this article sheds more light on the attitude of right-wing populists towards women's empowerment and gender equality.

This article uses case study research which provides an in-depth country-specific analysis (see Gerring, 2004). A political party is the unit of analysis here. By focusing on a single right-wing populist party, broader phenomena can be identified and inferences proposed, which can subsequently be investigated in other settings. This in-depth study is based on primary and secondary data. Primary sources include transcripts of parliamentary debates, party manifestos and semi-structured interviews with Law and Justice representatives, and political analysts, conducted in Warsaw from June to July 2017 and April 2019. Secondary sources include published reports and scholarly literature. This article examines the period until the October 2019 parliamentary elections.

This article contributes to the scholarly literature on populism, women and gender politics in different ways. First, it identifies links between conservatism and populism in order to elucidate the essence of right-wing populism. A thick definition of populism often appears attached to other ideologies (Mudde, 2004), but the focus on conservatism has been neglected. On the other hand, populism on the fringes of the political spectrum has been widely discussed, although it is less well-known and studied as an element of mainstream parties in Central and Eastern Europe (Caiani and Graziano, 2019). Moreover, there is little understanding of the impact of populism on the different strands of conservatism, particularly socially conservative parties, and, in turn, on feminist politics. Further clarification is needed here. Far-right populism differs from right-wing populism: the latter is linked to conservatism, while the former is linked to far-right ideology and/or nativism and authoritarianism,¹ and is based on anti-immigrant, nationalistic and xenophobic claims (for definitions of the extreme right see Ignazi, 1992; Mudde, 2007). Second, this research contributes to the latest debates on conservatism and gender (Celis and Childs, 2014, 2018). Celis and Childs

(2018: 2) note that a 'conservative moment' has descended on many parts of the world, resulting in setbacks for women's rights. However, conservative female representatives also claim to represent conservative women better than feminists do (Kretschmer and Meyer, 2013; Schreiber, 2018). This raises questions about women's substantive representation, gendered representation and conservative feminism. Third, this article offers fresh analytical insights into right-wing populism and feminist politics. Feminist politics is examined in terms of inputs (i.e. representative claims relating to women) and outputs (i.e. policies) because this directs attention towards representation as well as the results, both of which are vital aspects of any democratic system. Fourth, current scholarly literature on feminist policies (e.g. Mazur, 2002) and gender equality policies (e.g. Htun and Weldon, 2018) does not discuss anti-gender policies or policies that cater to women which are not feminist. This study addresses the aforementioned research deficit. Finally, this is believed to be the first study of Law and Justice through the lens of populism, conservatism and feminist politics.

Conservatism, populism and feminist politics

This article argues that when conservatism is intertwined with populist ideology it produces right-wing populism. Conservatism, as a dominant ideology of the right, is characterised by ideas such as tradition, customs and society as an organic whole, as well as national identity (e.g. McCullough, 2010). However, it is not homogenous and different strands can be distinguished (Beckstein and Rampton, 2018; Vincent, 2010). From the perspective of women and politics research in Western Europe, laissez-faire (liberal) conservatism and social (moral) conservatism have been discussed (Erzeel et al., 2014). Whereas the former aims to reduce government intervention in the economic and private sector, the latter prefers a social market economy. In the private sphere, social conservatives promote conventional family structures, the preservation of traditional values and morality and the perpetuation of traditional gender roles. In Central and Eastern Europe, conservative-liberal and national-conservative parties can be distinguished (Hloušek and Kopeček, 2010). Its version of liberal conservatism is similar to that of Western Europe. Instead, national conservatism concentrates on national interests, upholding cultural or ethnic identity, limiting immigration and enacting law and order policies.

Populism is a contested concept which holds multiple meanings (e.g. Caiani and Graziano, 2019; Mudde, 2004; Mudde and Kaltwasser, 2017; Norris and Inglehart, 2019). The article utilises an ideational approach. Mudde (2004: 543) defines populism as 'an ideology that considers society to be ultimately separated into two antagonistic groups: "the pure people" versus "the corrupt elite," and which argues that politics should be an expression of the *volonté générale* (general will) of the people'. 'The people' are defined and redefined by the populists. Laclau (2005) argues that it is an 'empty signifier' that allows populists to frame 'the people' in order to appeal to different constituencies, generate a shared identity and articulate their demands. In contrast, 'the elite', which is part of the establishment, is portrayed as a homogenous corrupt group that includes those who hold high-ranking positions within politics, the economy and the media, but excludes the populists themselves (Mudde and Kaltwasser, 2017). The two groups have an antagonistic relationship: supporters are friends who belong to an 'ingroup' whereas opponents are enemies who belong to an 'outgroup' (Mudde, 2004). Since the primary objective of populists is to implement the general will, any hindrances, such as the constitutional protection of minorities and independence of key state institutions, are rejected (Mudde and Kaltwasser, 2017). Essentially, populism is illiberal because it limits checks and balances (Mudde, 2004).

Feminism refers to the advocacy of gender equality between women and men and the emancipation of women in all spheres (Vincent, 2010). Accordingly, feminist politics means mainstreaming feminist issues in politics (Dean, 2010). It is also concerned with abolishing unequal gendered

power relations, norms and practices (Ferree, 2006). However, feminism is a contested concept. There is no single definition of feminism. In fact, multiple feminisms exist such as liberal, social/Marxist, radical, postmodern, black, or intersectional (e.g. Dhamoon, 2013). Hence, studies concerning feminist politics require an acknowledgement of this complexity in a contextually sensitive context.

If feminism implies the enhancement of women's status and power (Randall, 2002) and, as noted by Cynthia Enloe, it 'is about women' because 'no woman's life should be beyond the scope of her interest' (Van Hook, 2012), then it would also imply taking all women, even non-feminists, seriously. In short, conservative feminists and other non-feminist interests should be counted under this definition. For example, conservative feminists might support certain aspects of liberal feminism because they favour liberal individualism, which presupposes that women are equal to men, and encourage women's empowerment, but they also dismiss systemic discrimination, which is seen by most feminists as anti-feminist (Schreiber, 2018). It is worth noting that traditional conservative claims are 'gendered claims', which are:

underpinned by a commitment to women's traditional roles and experiences, as mothers, care givers and victims of violence [...] and are framed in terms of improving women's lives within traditional terms, rather than in feminist ones that seek to transform existing gender roles and norms. (Celis and Childs, 2014: 11)

In this regard, conservative claims might be considered as anti-feminist.

Anti-feminism refers to opposition to some or all types of feminism. It is the denial of one or more of the three premises that underline feminism. First, that social arrangements among men and women are neither natural nor divinely determined; second, that these arrangements favour men; and third, that collective action should be taken in order to transform them into just and equitable arrangements (Clatterbaugh, 2007: 230). A key feature of modern anti-feminism is the belief that the work of the feminist movement is already finished because women have achieved equality through legislative changes (Anderson, 2014: xiv).

Framework for analysis: Claims and policies

Given the contested nature of the key concepts already mentioned, a clear framework for analysis needs to be adopted. A two-step approach is proposed. First, given the different types of conservatism, a political party should be clearly characterised on the basis of two questions: What type of conservatism does it represent? Does it include populist ideology?

Second, the article examines two aspects of feminist politics: claims and feminist policies. The analysis of inputs (representative claims) and outputs (policies) is a good gauge of democratic performance in terms of representation and results. If all women are taken into consideration, a 'representative claim', a concept borrowed from Saward (2010), would be an appropriate approach because it calls for the examination of various claims about women. In this article, representative claim analysis looks into claims put forward by a political party. Claims that are repeatedly reiterated in manifestos by party representatives are dominant claims, whereas minor claims are those voiced by individual deputies or barely mentioned in manifestos.

Feminist policies can be examined from two perspectives. On the one hand, they can be considered using a *sensu stricto* understanding of feminism. According to Mazur (2002: 30, 2017: 80), feminist policies should, inter alia, improve women's rights, reduce gender-based hierarchies, recognise the intersectional complexities of women and avoid creating distinctions between the private and public spheres. Subsequently, Mazur (2002) identifies several feminist policies: gender

equality, political representation, equal employment, reconciliation, family, reproduction, sexuality and violence, and public service delivery. On the other hand, if feminism encompasses all women's claims and policies, even those which do not align with Mazur's criteria, then women's policies might be a more suitable term. Therefore, a distinction should be made between feminist policies derived from the *sensu stricto* interpretation, and women's policies derived from *sensu largo* interpretation.

The second step would be to answer the following questions: What are the political party's claims regarding women, gender and feminism? Does the party support feminist policies? If not, what policies are advocated? These questions gauge the relations between the various types of conservatism and feminist politics.

The case of Law and Justice in Poland

Background

The Law and Justice party, formed in 2001 under the leadership of twin brothers Lech and Jarosław Kaczyński, was derived from the Christian democratic, Catholic-national and conservative parties.² During the 2001 elections, PiS obtained 9.5% of the vote. In 2002, Lech Kaczyński was elected mayor of Warsaw and became president in 2005, while his brother Jarosław became the party leader and has since dominated the party and its decisions.³ Law and Justice won the September 2005 parliamentary elections, receiving 27% of the vote, and formed a minority government. The following year, PiS entered a coalition agreement with the Self-Defence Party and the League of Polish Families. In the subsequent 2007 and 2011 elections, PiS gained 32.11% and 29.89% of the vote, respectively, but lost to its main rival, Civic Platform (Gwiazda, 2016). PiS is supported by the ultra-conservative Catholic radio station Radio Maryja (Radio Virgin Mary) and religious TV channel TV Trwam.

Law and Justice won the 2015 parliamentary elections, obtaining 37.6% of the vote, 235 seats in the 460-seat Sejm and 61 seats in the 100-seat Senate.⁴ However, this result was not due to a significant shift in voter preferences, but rather to the high number of wasted votes (Markowski, 2016). Notably, this was the first time since 1989 where the winning party was able to create a single-party majority government and implement its election pledges without the need to compromise with coalition partners. However, PiS was under considerable pressure from the Catholic Church and other core supporters (Fomina and Kucharczyk, 2016). In fact, the Church was actively involved in the mobilisation of the electorate to vote for PiS and this strategy paid off, since a majority of those who support PiS are Catholic believers who go to church at least once a week; other supporters include voters with primary and vocational education, farmers and rural residents, people over 50 years old, pensioners, and workers (Markowski, 2016).

Party ideology

Law and Justice's conservatism is both national and social. It is also a populist party. In terms of national conservatism, PiS supports conservative notions of the nation, the family and tradition. In its manifesto, PiS claims: 'The nation is a community of culture, language, historical experience and political tradition [. . .] but is not defined in the ethnic sense. The Polish nation was formed by people of different ethnicities' (Prawo i Sprawiedliwość, 2014). According to PiS, the nation builds upon the family because the latter is responsible for passing down religious values and historical memory, shaping patriotic attitudes and instilling a feeling of national dignity. In addition, Polish national identity is considered to be closely linked to Catholicism⁵ (Porter, 2001). PiS supports 'the

universal teaching of the Catholic Church', which provides 'the moral creed' for Poles (Prawo i Sprawiedliwość, 2011, 2014). Given PiS's emphasis on the nation, it seeks to preserve the Europe of Nations, which could be regarded as soft Euroscepticism.

For PiS, social conservatism refers to both economic (*dirigiste*) and moral issues. In terms of the economic sphere, PiS supports economic solidarity so that everyone can benefit from economic growth. The plan for 'solidarna Polska' (social Poland) supports endeavours geared towards enabling less affluent citizens and economically weaker regions to benefit from economic development (Prawo i Sprawiedliwość, 2011). Its social conservatism is traditionalist. PiS supports the traditional family where 'family' is defined as 'a lasting relationship between a woman and a man' (Prawo i Sprawiedliwość, 2014, 2019). It also claims to protect traditional values, morality and traditional gender roles. Its stance on moral issues is highly influenced by the Catholic Church's teachings.

Finally, PiS is a populist party. It divides society into two antagonistic groups: the people who are 'true' Poles and the Poles who belong to 'the worst sort' (Fomina and Kucharczyk, 2016). The people who are referred to as 'the nation' or 'the sovereign' support traditional Polish values and Law and Justice. They come from local, small-town or rural communities, and claim to exhibit morality, religious devotion and patriotism. Conversely, the outgroup consists of anti-PiS parties, communists, former Prime Minister Tusk, Russia, Germany, immigrants, and lesbian, gay, bisexual and transgender (LGBT)⁶ groups. For PiS the enemy is part of 'informal systems deriving from covert links with the communist secret service and the criminal world' and 'groups holding power' (Prawo i Sprawiedliwość, 2011). During the 2015 electoral campaign, PiS ran a negative campaign against refugees, arousing public fear about the possibility of Poland having to resettle more than 100,000 Muslims (Rae, 2019). In 2019, PiS identified a new enemy, LGBT groups, which they believe threaten the integrity of the traditional Polish family and its values (Prawo i Sprawiedliwość, 2019).

Moreover, PiS has criticised the liberal order supported by Civic Platform (Prawo i Sprawiedliwość, 2011). In fact, from the very beginning, PiS's top priority has been the creation of a new Poland, the so-called 'Fourth Republic', through the radical overhaul of post-1989 Poland by means of constitutional and judicial system changes, decommunisation, and a fight against crime and corruption. Soon after assuming office in 2015, Law and Justice challenged the foundations of Poland's liberal democratic order. Party illiberal claims coincided with the spread of illiberalism around the world. Scholars have described this phenomenon as authoritarian clientelism (Markowski, 2018) and authoritarian populism (Norris and Inglehart, 2019).

In conclusion, Law and Justice is both populist and illiberal, representing national and social conservatism. PiS emphasises the role of the nation, family and tradition influenced by Catholicism and the social economy, combined with a populist discourse that divides society into two antagonistic groups.

In the following section, claims and policies are examined. Although PiS primarily discusses women in the context of the family, nation and childcare, a detailed examination reveals a number of claims. The choice of policies is based on Htun and Weldon's (2018) gender equality policies, which also coincide with several of Mazur's (2002) feminist policies. The selected policies elevate women's status in the political and social spheres (see Htun and Weldon, 2018).

Socially conservative claims

Since PiS represents social and national conservatism, it predominantly makes gendered claims that advocate the preservation of traditional family and gender roles. Women are first and foremost mothers and the state should guarantee the protection of pregnant women and mothers (Prawo i

Sprawiedliwość, 2005). The 2011 manifesto reiterated increased social benefits for families and support for pregnant women and promised pensions for women who gave up their careers to raise their children. Moreover, the role of the Church was highlighted: 'The convergence between the teaching of the Catholic Church and the national tradition is clearly visible in relation to the family' (Prawo i Sprawiedliwość, 2014). A male PiS deputy added: 'religion and culture that developed over the centuries are important. It is good to be part of the community and the nation, and support the family and motherhood' (Interview 6).⁷ Other pledges concerning women included, for example, the female retirement age being reduced to 60 (Prawo i Sprawiedliwość, 2014).

Some female PiS representatives tackle women's concerns but make clear that they are not feminists. In an interview with a weekly Catholic news magazine, former Prime Minister Beata Szydło admitted that she was not a feminist. She said: 'The feminists, through their actions and their slogans [that PiS limits women's rights], often do not help us women. I believe that feminists should be able to stand by all women, even those with whom they disagree'. She then continued: 'The PiS government is pro-women, but I prefer talking about what we do for all Poles, both men and women. We have introduced pro-family solutions, such as the Family 500+ programme' (Łoziński, 2017). Szydło represents a typical socially conservative stance that views women through the prism of the family.

Conservative claims are reinforced by cultural and historical factors. Culturally, women in Poland have been assigned specific gender roles, best characterised by the traditional figure of a 'Polish Mother' (*Matka Polka*), whose value is measured by her fertility and self-sacrifice (Hall, 2019). Poland is conservative where the traditional family plays a central role (Interview 2). Historically, during communism, patriarchal society was mediated by women's empowerment, including access to education and employment and some feminist policies (e.g. abortion). In post-1989 Poland, the new democratic government and the Catholic Church agreed on an abortion ban, which further reinforced traditional gender roles. In fact, it is argued that Catholicism's influence promotes more traditional attitudes towards women and their role as homemakers and mothers (see Inglehart and Norris, 2003).

Anti-feminist and anti-gender claims

PiS voices anti-feminist claims. Conservatives dismiss the consequences of unequal gendered power relations and reject claims of systemic gender discrimination; hence, in this regard, they are anti-feminist. The PiS programme maintains that discrimination against women ended upon the restoration of Poland's sovereignty in 1918 (Prawo i Sprawiedliwość, 2014). In support of this, a female PiS deputy argued: 'In terms of political equality, Poland is an exemplar. Women were given the right to vote in 1918. Women have equal rights to men. We do not need to fight for women's rights any more' (Interview 5).⁸ A male PiS interviewee said: 'We do not differentiate between women and men because everybody has equal rights and is treated equally in Poland' (Interview 6). Furthermore, anti-feminism is clearly linked to the Catholic Church's influence over women's reproductive rights. The additional source of anti-feminism comes from populism and its illiberal component, which is reflected in the limitation of certain groups' rights (e.g. LGBT).

PiS voices anti-gender claims because of its populism and close ties with the Church. It considers supporters of the so-called 'gender ideology' as enemies. Its 'anti-genderism' aims to preserve the Polish cultural values rooted in Catholicism and to protect the traditional model of the Polish family against the foreign influence of the 'corrupt West', the liberal European Union, the 'homosexual lobby' and radical feminists (Graff and Korolczuk, 2017; Wiercholska, 2018).

PiS mentioned 'gender ideology' for the first time in its 2014 programme as incompatible with the Polish identity, and 'dangerous for families because it undermines Christian values' (Prawo i

Sprawiedliwość, 2014). It did not define the term itself but borrowed it from Catholic Church rhetoric. Given Law and Justice's close links with the Church, it adopted its anti-gender discourse as a response to an open letter from the Polish episcopate in December 2013, which stated that "gender ideology" originated from cultural changes in the West promoted by some feminists and the sexual revolution. It endorses values completely contradictory to our understanding of human nature'.⁹ It can be inferred from the above that 'gender ideology' is a term used to indicate that the proponents of gender equality and gender justice pose a threat to the 'traditional' family, the Polish nation and Christian civilisation.

During the party convention in the spring of 2019, leader of Law and Justice, Jarosław Kaczyński, said: 'LGBT is not about tolerance. It is about the affirmation of same-sex unions, their marriage, and their right to adopt children. We are saying no!' (Kaczyński, 2019).¹⁰ Anti-gender claims specifically featuring an anti-LGBT stance were further emphasised in the 2019 electoral campaign. The issue of anti-gender policies is discussed in the postscript to feminist policies.

Ultra-conservative claims

Ultra-conservative claims are minor claims and are closely linked to the ultra-conservative Catholic Radio Maryja. They support a total abortion ban and reject other feminist policies. Although moderate-conservative views prevail in the parliament, ultra-conservative interests are also represented by a few PiS deputies – particularly those who supported the proposed total abortion ban (Gwiazda, 2019). PiS is being pressured by far-right nationalists (the Confederation) and ultra-conservative Christian groups, which accuse it of national treason. For example, an anti-abortion activist claimed that 'the government is on the feminists' leash because it votes in line with feminists'¹¹ and did not support the ultra-conservative claim pushing for the total abortion ban.

Conservative feminist claims

Right-wing feminists, or conservative feminists, incorporate certain liberal feminist, traditional and national ideas. One female PiS deputy who claimed to represent right-wing feminists said:

I talk about right-wing feminism and women's emancipation in terms of equal pay, career promotion and opportunities and reconciling work with family life. The PiS government emphasises the Family 500+ programme, which is good for women because they can afford to pay for a nanny and can return to work. (Interview 3)¹²

On the issue of abortion, she supported the status quo. Moreover, she highlighted the role of women in Poland's struggle for independence in the early 20th century (Interview 3). Conservative feminists believe that they speak on behalf of women (and hence call themselves feminists) and promote aspects of liberal feminism because they favour women's empowerment in the workplace and in politics.

In January 2019, the regional PiS Women's Forum was established in Lublin, a city in eastern Poland. Its aim was to gather women and fight for their representation in politics and society. One of its founders, a female PiS deputy, said: 'This is the first such initiative in Poland, but such forums will also be created in other voivodeships to transform them into a nationwide campaign. Over time we aim to make it a PiS party organ' (cited in Skomra, 2019). She then continued: 'It is a feminist organisation but representing right-wing feminism'. The forum seeks to support women in their professional careers. It is also concerned with mothers and wives, and the support they receive through the Family 500+ programme and the so-called Mama 4 Plus, which provides

pension benefits to mothers who raise four or more children. However, they are not interested in introducing gender quotas for local government authorities because they prioritise meritocracy over affirmative action (Skomra, 2019).

In fact, the 2019 manifesto clearly pledged to eliminate the gender pay gap. It was presented in the context of gender equality in the workplace and was lengthily discussed (over three pages). The manifesto also briefly mentioned reconciling work with child rearing (Prawo i Sprawiedliwość, 2019). In the past, PiS manifestos made some reference to policies promoting reconciling work and family life (Prawo i Sprawiedliwość, 2007, 2014), but these minor claims did not receive much attention, whereas, in 2019, this conservative feminist claim was mainstreamed. The shift of this minor conservative feminist claim into a dominant one in the PiS 2019 manifesto could be attributed to stronger conservative feminist voices and the women's forum within the party. Undoubtedly, it had to be backed by the party leader given the party's centralised governance structure.

Feminist policies: Gender quotas

Although gender quotas aim to improve women's parliamentary representation, Law and Justice voted against the adoption of legislative gender quotas.¹³ During the Sejm debate, a female PiS deputy criticised the bill, saying that quotas were unnecessary because most women wanted to realise themselves as wives and mothers.¹⁴ PiS did not support gender quotas because it believed that they challenged traditional values and highlighted gender discrimination, which contradicts the party's claims. Nevertheless, in January 2011, legislative gender quotas, stipulating that at least 35% of all candidates should be women, were approved by the then-governing coalition of Civic Platform and the Polish Peasant Party (Gwiazda, 2017). Despite PiS's initial lack of support for the bill, it endorsed it in subsequent elections because the sanction for non-compliance is high: political parties cannot register lists and run in elections.

When PiS came to power, it did not revoke gender quotas but it did not place female candidates in top places on party lists either. It must be noted that there is a positive correlation between being in the top places of the party list and being elected. For PiS, the placement of women lower down in the list resulted in a low overall percentage of women elected (Gwiazda, 2017). PiS had 17% female deputies in 2011, 23% in 2015 and 24% in 2019; while its main competitor, Civic Platform, had 35%, 36% and 37%, respectively (State Electoral Commission, 2019). Civic Platform uses internal regulations to place female candidates in top positions on lists, but PiS does not (Gwiazda, 2017). Although PiS complied formally with the law, such informal practices resulted in ineffective implementation and a lower percentage of female deputies.

Feminist policies: Domestic violence

There was a heated discussion in Poland regarding the ratification of the 2011 Council of Europe Convention on preventing and combating violence against women and domestic violence (known as the Istanbul Convention). The legislative process commenced in 2014. When the final vote took place, all PiS deputies voted against the bill,¹⁵ but since the government of Civic Platform and the Polish Peasant Party supported it, it was ultimately ratified.¹⁶ For Law and Justice, it threatened the traditional Polish family and values and, during a parliamentary debate, PiS deputies echoed these concerns. One of them even argued that the bill would not protect women from violence because its main objective was to meet the demands of the LGBT community to teach Polish schoolchildren about non-traditional gender identities.¹⁷ Likewise, the ultra-conservative and Catholic circles (e.g. Radio Maryja) claimed that it disrupted the traditional model of the family because it was at odds with Catholic values.

When Law and Justice came to power in 2015, it did not revoke the Convention despite calls to do so. A female PiS deputy said: 'Revoking the Istanbul Convention is a strong exaggeration, there

are such calls coming from the far-right, but not in the party' (Interview 5). However, other party members did not share this opinion. Specifically, the PiS Minister of Family, Labour and Social Policy supported the revocation of the Istanbul Convention (Grochal, 2016). There have also been attempts to redefine what constitutes domestic violence – ultimately discarded by Prime Minister Morawiecki due to pressure from civil society. Although the Convention is still in force, funding for organisations that help survivors of domestic abuse was reduced, as pointed out by Human Rights Watch in 2019 (Human Rights Watch, 2019). Instead, Catholic organisations received more funding to strengthen the Catholic Church's support for Law and Justice (Interview 4).¹⁸ Implementation of the Convention has also been hampered. Amnesty International has issued a number of recommendations for Poland to effectively implement the law. For example, by amending the penal code to include the sexual and economic aspects of violence, division of competences between ministries and co-operation with civil society organisations combating domestic violence (Amnesty International, 2018).

Feminist policies: Reproductive rights

In the area of reproductive rights, the key issues are reproductive technologies and abortion. In January 2016, PiS cut state funding for IVF treatment. Until then, there was an IVF reimbursement programme, introduced in 2013 by the Civic Platform Minister of Health, which stipulated that the state would cover the expenses of up to three IVF cycles for women under the age of 40 (married or co-habiting) who had already been treated for infertility for at least one year prior to joining the programme (Korolczuk, 2017). After the PiS decision, numerous local governments decided to fund the IVF treatment programme. Instead, the PiS Minister of Health announced additional funding for Natural Procreative Technology, a routine gynaecological treatment programme (Ministry of Health, 2016). Notably, the latter is supported by the Catholic Church, but the former is not.

Poland's abortion law is one of the strictest in Europe. The Act of 7 January 1993 on family planning allows termination only if the pregnancy is a result of a crime, if there are serious problems in the development of the foetus, or if the mother's life is in danger. PiS is against liberalising abortion law (Prawo i Sprawiedliwość, 2011). It supports 'the dignity of all people and life protection from conception' (Prawo i Sprawiedliwość, 2014). In 2016, the total abortion ban proposed by the ultra-conservative citizens' legislative committee and a parliamentary debate sparked Black Protests, which brought together thousands of people (Gwiazda, 2019). PiS ended up withdrawing its support for the total abortion ban. In fact, one of the interviewees pointed out that Law and Justice was also divided over the issue: 'most PiS deputies and the party leadership supported the 1993 law, but a small ultra-conservative faction linked to Radio Maryja and the pro-life lobby supported the total abortion ban' (Interview 1).¹⁹ In addition, PiS restricted access to emergency contraception (Wierzycholska, 2018).

Postscript to feminist policies: Women's policies and anti-gender policies

If the term 'feminist' is used *sensu largo*, the examination of other women's policies is necessary and childcare benefit policy is a case in point.²⁰ In 2016, Law and Justice fulfilled its election pledge to offer an increased subsidy for raising children. The Family 500+ programme provides child benefits for a second or subsequent child until the age of 18, as well as for the first child in low-income families (Sejm, 2016).²¹ While this policy may respond to certain women's claims, it does not abide by the *sensu stricto* feminist claims to promote gender equality. Rather, it perpetuates socially conservative claims that only view women through the prism of family. Feminist scholars argue that paying women caregiving income to stay at home will not reduce gender inequality as policies promoting mothers' employment and public childcare services will do (see Blofield and Haas,

2013). Nevertheless, some female deputies from Law and Justice have highlighted women's empowerment in terms of increased economic independence (Interviews 3 and 5).

Moreover, this article confirms that Law and Justice supports an anti-gender policy. The literature on feminist politics does not engage sufficiently with this type of policy. This article defines anti-gender policies as policies that contest gender-related issues, gender identities and complexities; hinder gender awareness; and either pejoratively present the concept of gender or reject it completely. This stems from the belief that gender is not a social construct and individuals therefore cannot choose their social identity because their biological sex defines them. Anti-gender policies include, *inter alia*, banning the teaching of gender studies and sex education, ending legal recognition of trans people, banning pride parades and the introduction of 'gender-free zones'. This opposition to gender equality is promoted by anti-gender campaigns (Kuhar and Paternotte, 2017). Populist anti-gender claims were often used by PiS during the 2019 electoral campaign and an anti-gender policy initiative was proposed right before the elections. A sex education ban was discussed in parliament in October 2019. The bill read: 'The proposed change will provide legal protection for children and young people against sexual exploitation and demoralisation, which are developing at a dangerous pace and affect thousands of the youngest Poles due to so-called sex education'.²² Furthermore, it stipulated: 'we need this law in response to a declaration by the mayor of Warsaw supporting LGBT rights'. Although it was a citizens' legislative initiative²³ rather than a governmental bill, Law and Justice supported it when voting for it on first reading (Sejm, 2019). However, the legislative process was discontinued following the dissolution of the parliament, but because citizens' initiatives are carried over, the bill was formally reconsidered in November 2019 and is awaiting a debate in parliament.

Discussion

This article contributes to the scholarly literature by recognising the need to further examine the intricate relationship between right-wing populist parties and feminist politics. Despite a common-sense understanding of their incompatibility, their relationship is more complex and requires contextually sensitive analysis. The two-step analytical framework, which involves the analysis of party ideology as well as representative claims and policies, helps to understand this complexity and reveals interesting findings about their duality. On the one hand, PiS takes a socially conservative, anti-feminist and anti-gender stance. On the other hand, it advocates conservative women's interests and supports certain feminist conservative claims. Below, I discuss that in depth.

With regard to claims, Law and Justice supports socially conservative claims – which are gendered claims – that advocate the preservation of traditional family and gender roles. PiS is considered anti-feminist because of its support for illiberalism and refusal to acknowledge gender discrimination. Populists voice anti-gender claims if the outgroup consists of radical feminists and advocates of 'gender ideology'. The Polish case confirms that stronger anti-gender claims are voiced by right-wing populist parties, which are closely linked to the Catholic Church because of the latter's anti-gender discourse. Overall, right-wing populist parties that represent social and national conservatism are expected to back socially conservative, anti-feminist and anti-gender claims. However, other minor claims such as ultra-conservative and conservative feminist claims can also be present. Moreover, these minor claims can become dominant claims owing to a number of factors including a leader's decision, faction strength and public support. In fact, in 2019 a minor conservative feminist claim concerning the gender pay gap – which was clearly supported by the women's faction and certainly supported by party leadership – was made into a dominant claim in the PiS manifesto.

Furthermore, this article confirms the clear relationship between claims and policies. Socially conservative claims are linked to women's policies rather than to feminist policies. In the Polish

case, it was largely believed that women could stay at home to look after their children thanks to the Family 500+ programme. Moreover, anti-feminist claims are linked to doubts over the existence of systemic gender discrimination and the opposition to gender quotas. Anti-feminist claims are also behind the withdrawal of funding for in-vitro fertilisation and the reduction of funding for combating domestic abuse. Finally, populist anti-gender claims were realised in the 2019 anti-gender policy initiative. Given that the focus on anti-gender policies is relatively new, this article adds a new dimension to gender and politics research.

One might ask: do right-wing populist parties support feminist policies? This study demonstrates PiS's reluctance to implement feminist policies because they contradict socially conservative claims and go against the Catholic Church's teachings. Actually, PiS is most concerned about feminist policies that challenge core tenets of Catholicism. Specifically, the Church has expressed concerns about policies on reproductive rights and domestic violence, in light of its opposition to abortion and anxiety to preserve traditional Polish family structures. Domestic violence policy is seen as a threat to Catholic family doctrine, contrary to Htun and Weldon's (2018) belief that preventing violence against women is a policy that does not challenge religious doctrine. In Poland, the Catholic Church is not only regarded as a religious institution that provides social and moral teachings but also as a political actor that openly supports Law and Justice, instructs its Church members to vote, and whose teachings have a clear impact on policies. Its rhetoric against 'genderism' as well as its uncompromising stance on reproductive rights and the preservation of traditional family structure clearly influenced Law and Justice's endorsement of certain policies. The lack of new feminist policies in 2015–2019 is attributed to the absence of *sensu stricto* feminist claims. However, it is worth noting that the feminist policies adopted by previous governments were not rejected outright, but rather poorly implemented. Outright rejection is expected in cases of dominant ultra-conservative claims.

A stipulation needs to be added to the aforementioned finding. Although right-wing populist parties that represent social and national conservatism are reluctant to adopt and implement feminist policies, they might be willing to do so if they support conservative feminist claims. It remains to be seen whether the 2019 conservative feminist pledge is translated into a policy output. Moreover, this article shows that ideologies are not static; they evolve over time and require careful longitudinal investigation to identify any changes.

This article confirms that under the PiS government conservative women's interests are represented more than feminist women's interests. Some scholars argue that in Central Europe progressive movements have failed to produce actual female emancipation, and so the populist right has temporarily managed to win women over through social spending (Grzebalska and Kováts, 2018). Women's substantive representation is not exclusively feminist. PiS's support of socially conservative (gendered) claims contributes to gendered representation.

Finally, this article demonstrates how Law and Justice's illiberalism in terms of feminist politics is observable in two ways. Its illiberalism is linked to populist claims and results in anti-gender policy initiatives. Its illiberalism is also linked to anti-feminist claims and leads to restrictions on reproductive rights, access to emergency contraception and the withdrawal of funding for organisations that help survivors of domestic abuse. These types of illiberalism, combined with what Markowski (2018) defines as authoritarian clientelism, contributed to democratic backsliding in Poland.

Conclusion

The relationship between right-wing populism and feminist politics is complicated and nuanced. Right-wing populism in Poland is considerably more complex than most scholars would initially

expect. The two-step analytical approach has helped to untangle this complexity. Although Law and Justice is anti-feminist and anti-gender, it is not entirely a women-unfriendly party. As a socially conservative party, it represents conservative women's interests and has elements of conservative feminism. Its stance on feminist policies is characterised by reluctance rather than outright rejection. This duality is a significant finding.

Further research endeavours should investigate whether the 2019 anti-gender claim (banning sex education) and conservative feminist claim (addressing the gender pay gap) were translated into policies by the Law and Justice government during its second term after winning the October 2019 elections. Moreover, the origins of diverse claims and the rationale behind voicing conservative feminist claims, in particular, could be further investigated. Finally, future studies should look into the different types of conservatism and populism and their relations with feminist politics in other countries. Needless to say, more research is necessary in order to understand the intricate relationship between right-wing populism and women.

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Notes

1. Extreme right parties are, in most cases, anti-establishment and single-issue parties. Parties of the right are, in most cases, catch-all parties.
2. Most party members were associated with the now defunct Solidarity Electoral Action and the Movement for the Reconstruction of Poland.
3. Lech Kaczyński served as President of Poland until his death in a plane crash in 2010.
4. The 2015 PiS lists also included candidates from two other parties, Polska Razem and Solidarna Polska, and commanded approximately 2–3% support each. Their leaders became ministers in the PiS government (Markowski, 2016).
5. The Poles saw the Catholic Church as their freedom supporter in their fight for independence over the late 18th to early 20th centuries, and from Nazi and communist rule. The term Pole-Catholic is part of Polish identity, distinguishing Poles from Protestant Germans and Orthodox Russians.
6. PiS uses the term LGBT rather than LGBTQ+ (lesbian, gay, bisexual, transgender, queer, and others).
7. Interview 6 – interview with a male deputy from Law and Justice, Warsaw, 23 April 2019. All interviews were carried out under Research Ethics Approval No. MR/16/17-447 and Research Ethics No. MRA-18/19-11059.
8. Interview 5 – interview with a female deputy from Law and Justice, Warsaw, 16 April 2019.
9. The Polish Episcopate issued a pastoral letter in December 2013. Available at: https://opoka.org.pl/biblioteka/W/WE/kep/swrozdiny_29122013.html
10. In 2019 the PiS campaign against LGBT groups was launched following the decision by the mayor of Warsaw (from Civic Platform) to sign a declaration protecting LGBT rights.
11. Interview with Kaja Godek (an ultra-conservative activist). Radio Zet, 13 April 2018. Available at: https://twitter.com/Gosc_RadiaZET/status/984701356333203456

12. Interview 3 – interview with a female deputy from Law and Justice, Warsaw, 21 July 2017.
13. Roll call no. 125, Sejm, 3 December 2010.
14. Sejm (2010) 61st Sitting of the Sejm, 18 February 2010.
15. Vote no. 40, 86th Sitting of the Sejm, 6 February 2015.
16. Journal of Laws 2015, item 398.
17. Sejm (2015) Third Reading of the Bill on the Ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence.
18. Interview 4 – interview with an academic from the University of Warsaw, Warsaw, 15 April 2019.
19. Interview 1 – interview with a journalist dealing with women's issues, Warsaw, 26 June 2017.
20. Although childcare is often regarded as a gender equality policy (Htun and Weldon, 2018), in the Polish case, the law did not aim to enhance gender equality and therefore I discuss it under the heading of women's policies.
21. In 2019, child benefits were extended to the first child regardless of family income.
22. Bill no. 39, 22 November 2019. It was initially submitted as Bill no. 3751, 17 July 2019, Sejm, 2019.
23. In Poland, a group of at least 100,000 citizens can submit legislative initiatives (Article 118 of the 1997 Constitution).

Interview 2. Interview with a former (male) deputy from Law and Justice, Warsaw, 14 July 2017.

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